

CLASSIFICATION OFFICE DECISION

Title of publication: ce8dfcedf14d8541_0_embedded_1.jpg

Other known title(s): Not stated

OFLC ref: 1700633.005

Medium: Computer Image File

Publisher: Not stated

Country of origin: Not stated

Language: Not applicable

Applicant: Commissioner of Police

Classification:	Objectionable except if the availability of the publication is restricted to persons who have attained the age of 18 years.
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Descriptive note: None

Display conditions: None

Date of entry in Register: 13 December 2017

Date of direction to issue a label: No direction to issue a label has been issued

Date of notice of decision: 12 December 2017

Summary of reasons for decision:

The image explicitly depicts a man performing a sexual act on a female. Due to concerns about the age of the female participant, the Classification Office has considered whether it promotes or supports, or tends to promote or support, the exploitation of young persons for sexual purposes in terms of s3(2)(a) of the Films, Videos, and Publications Classification Act 1993, and concluded that it does not. The publication's unrestricted availability is however likely to be injurious to the public good. It is an explicit record of sexual activity and is intended to sexually arouse the viewer. Children and teenagers do not have the experience or maturity to appropriately process or contextualise such depictions. The image is therefore restricted to an adult audience. This limits the right to freedom of expression as set out in the New Zealand Bill Of Rights Act 1990 but is justified in order to prevent injury to the public good.